

Chesapeake City
Planning and Zoning Commission
Minutes June 1, 2011

Elaine Shepard
Bob Miller
Harry Sampson, absent
Bill Miners, chair
Frank Vari
Norman Carter
Lee Adams
Tom Yeager, Town Attorney

Attached list of attendees

Bill Miners brought the meeting to order at 6:30 pm followed with the Pledge of Allegiance.

Public Announcements:

Christine Mullen: Inviting everyone to come to the Blue Max on Thursday June 9th for the membership drive for the new Chesapeake City Chamber of Commerce, 5:30 to 7:30pm.

Frank Vari: Monday, June 6th is Election Day, polls are open from 1pm to 7:30 pm; either at the Firehouse for those on the north side or Town Hall for those on the south side. Salvageable metals will be picked up on the north side on Saturday. No recycling on the south side on the 25th because of Canal Day. Too much is going on. On October 1st is the Conquer the Bridge Walk/5K. Please bring in your non-perishable food item in for the Chesapeake City Ecumenical Association to be given the day of the 5K run.

Elaine Shepard: Thursday night is Meet the Candidates Night at the Chesapeake Inn.

Bill Miners: I have two things: One, Harry Sampson is not here tonight, he has recused himself from participating in discussions regarding the Chesapeake Village because at the very beginning he expressed his feelings of not being in favor of the development; he felt any participation on his part might taint things one way or another. He has kept himself totally removed from this. The second thing is traditionally, as a Chairman I have not voted on every single issue, although I have the right to. I have always abstained, and would vote if there was a tie. However, Article 3 of our ordinances, section 21 states that "...the Chairman and Vice-Chairman may take part in all deliberations and vote on all issues." I want the record to reflect that.

Approval of minutes from May 4, 2011

MOTION: Frank Vari made a motion, Bob Miller seconded to approve the minutes from May 4, 2011. Elaine Shepard abstained, she was absent at that meeting. All in favor, motion carried.

Staff Reports

Sharon Weygand, Town Administrator- Ferry Slip Park play ground equipment should be delivered this week, weather pending. The grant to WILMAPCO for trails, sidewalks, etc. received a letter today there is not enough funding; however the county did receive a grant for bike trails and they are including municipalities in that grant. There's a kick off meeting next week and I will be there representing Chesapeake City. Under Code Enforcement, Schaefer's will be cutting the weeds this week. A couple of letters went out regarding high grass and one complaint on a satellite dish placement.

ACTION ITEMS:

- Concrete Patio, recycled concrete to walkways, to be added alongside and behind patio & alongside and in front of house

File No: 050511

Applicant: Lazy S Mgt LLC

Location: 424 Cecil St

Tax Map: 200 Grid: 10 Parcel: 152 Zoned: R1

MOTION: Elaine Shepard made a motion, Lee Adams seconded to approve file number 050511 at 424 Cecil Street. All in favor, motion carried.

- Renovation

File No: 051711

Location: 406 Biddle St

Tax Map: 200

MOTION: Frank Vari made a motion, Norman Carter seconded to approve file number 051711 at 406 Biddle Street. All in favor, motion carried. *Note: Applicant will need to come into Town Hall with the construction plans and then go up to the county.*

- Projecting Sign

File No: 051011

Location: 109 Bohemia Ave

Tap Map: 200 Parcel: 342 Zoned: VC

NOTE: Application has been to Historic and has been approved.

MOTION: Bob Miller made a motion, Elaine Shepard seconded to approve file 051011 at 109 Bohemia Avenue. All in favor, motion carried.

- Concept Plan – Chesapeake Village

File No: 042811

Location: St Augustine

Tax Map: 43 Parcel: 15 Zoned: TND

MOTION: Elaine Shepard made a motion, Bob Miller seconded to reject the plan as submitted based on Section 111 Section 3 of our zoning ordinance, which states “(1.) Dwellings, shops and workplaces generally located in close proximity to each other; the scale of which accommodates and promotes pedestrian travel for trips with in the Town.” The plans as submitted does not meet those qualifications.

Bill Miners requested discussion.

Frank Vari: I don't think it fits our Comprehensive Plan or our zoning ordinances and we haven't received anything back from TAC. I agree with the motion.

Lee Adams: I also had a concern about TAC.

Tom Yeager: Have you had reports from consultants that you have considered?

Bill Miners: Yes we have. We have the May 16, 2011 from URS (*letter is attached to minutes*) which lists a number of items, citing “#3...24 of the units do not meet the definition of “Town House” contained in the Town Zoning Ordinance”. #5 “The parcel is designated as TND...referring to the east side....does not include any single-family detached dwellings.” #7. “...the two-dwelling units on the east side of the development do not meet the definition of “Town House” per the Town Zoning Ordinance.” #20. “The plan depicts parallel parking space at 20’ in length. Section 258.2 of the Zoning Ordinance requires that parallel parking spaces be a minimum of 23’ in length.” #31. “..The cost of maintaining the stormwater management facilities was never fully evaluated by the Town.”

That's the URS part of it. Included a memorandum from Christopher Jakubiak, from Jakubiak & Associates, the company who updated our Comprehensive Plan and Ordinances; it states "I have not conducted a site plan review. I have limited my review to the broader question of the plan's consistency with the adopted Comprehensive Plan." *Note: Letter will be attached to the minutes.* Noting #2, "An environmental assessment will be completed per Cecil County's Requirements" suggests that such an assessment has not yet been provided to the Town. ...this assessment would be important..prior to serious deliberation on this plan. #3. "The plan proposes 103 units. Another note on the plan states: "Final unit type location to be determined at time of construction. This is a problematic notion to have on a development plan; it suggests that as long as the number of units does not change, the Town is OK with the fact that unit types may change and their location on the site may be different than that shown on the approved plan." #7 is a long one: it basically states the Towns subdivision regulations state residential streets shall be arranged so as to discourage thru traffic and provide for maximum privacy and that lots shall not be platted on roads that function as collectors which several of the streets likely do.

The Vision of the Comprehensive Plan: "...the Town, in adopting the new Comprehensive Plan, endorsed development patterns based on and consistent with its traditional street and lot layout."

Community Facilities: "I have had the opportunity to review the Town's draft water and sewer allocation plan...The capacity does not now exist in the WWTP to serve this project. On those grounds, it is inconsistent with the Comprehensive Plan unless this issue can be resolved. The Planning Commission should also consider the impact on the project on police and fire services..."

Tom Yeager: Section 111 was cited and that provides mixture of residential types and certain provision's for commercial activities to serve the resident population. Where there any commercial units on this plan? I do not recall seeing them.

Bill Miners: I do not believe you can call it commercial use, of the 103 units there is one community center that has a rental property above it, but I do not believe that would qualify.

Tom Yeager: So there would be concerns that the final results of the development would not feel like a larger version of Chesapeake City.

Bill Miners: Right. Any other discussion?

Joe Viscuso: We did not get a copy of the Planners Review. In regards to the through street, its always been the direction of the Town that there be a through street from Second Street to that back of St Augustine in every plan, and we've never heard that comment before.

Bill Miners: We did give you a copy of the Comprehensive Plan, did we not?

Joe Viscuso: Yes. Again the architectural standards and the plan itself, I want the record to show that we spent a couple months prior to the submission of the formal plan working with Planning and Zoning on the architectural standards, working with plan taking groups of Townhouses out, riding through the Town with our architect coming up with plans that we thought had adhered to the architectural standards. We have always indicated that we would adhere to them. And again, we've gone to great pains with the plans in front of you to depict what we thought what was the wish of Planning and Zoning. The last item indicated on many occasions here both in front of Council and Planning and Zoning, was the commercial issues, your ordinance states there should be commercial units in a development. We have always said any one of units in the development could have a commercial application – that could be a townhouse, a twin or a single. Anybody that bought a unit was free to put in a commercial application. It would happen as the town has happened. It is not our intention not to have commercial units. I do not believe the ordinance requires us to predispose one or any of the units commercial. We want to keep working the plan until it gets to what the commission wants it to be.

Bill Miners to requested the motion be re-read. The Section 111 is to include the entire section.

VOTE: Vote was called to reply 'Aye' along with a show of hands. All six members in favor, all hands raised. Motion passed and carried.

NEW BUSINESS ITEM

- Setting date for Public Hearing regarding Zoning Ordinance

Will discuss dates at the workshop, tentatively the workshop in July. Will post Ordinance on the website, and a copy will be in Town Hall for public review.

ADJOURN

MOTION: Lee Adams moved to adjourn the meeting at 7:16 pm. Elaine Shepard seconded. All in favor, motion carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Valerie Walls".

Valerie Walls
Clerk/Treasurer